REMARKS

Applicants respectfully request examination on the forgoing amendments. Support for the present amendments is found throughout the specification, such as in the first full paragraph of page 8.

With respect to the requirement to elect one particular method for measuring the activation of an effector cell, applicants submit that effector cells are not transformed by monoclonal or polyclonal antibodies. Rather, effector cells according to the present invention are transformed so as to express the CD16 receptor. Accordingly, by default, applicants elect "ii) may not be transformed with [a] monoclonal or polyclonal antibody."

For the second species election, applicants elect "B) comprises an ADCC assay."

For the particular method election, applicants elect "a method for evaluating the effectiveness of an antibody."

Claim 38 reads on the elected species and invention.

The present invention is not disclosed in Vivier et al., because this article does not describe any ADCC activity. In Vivier et al., the activation of Jurkat CD16 cells occurs with the antibody anti-CD16 3G8 coated (i.e. bound on a solid phase) on a plate of polystyrene of 96 wells, and there is a dose effect between the amount of the coated antibody 3G8 and the secretion of IL-2. The fact that the 3G8 antibody is coated is very important in Vivier because the coating induces a dimerization of the receptor CD16, which activates the Jurkat cell and the secretion of IL-2. I

If the reaction mixture were a liquid phase, there would not be any activation, because the antibodies described in this document bind the CD16 receptor by their variable region, and not by their constant region. The amount of cytokines produced depends, in the case of the Vivier et al. document, on the affinity of the variable region Fab of the antibody for its target, the CD16, and not on the functionality of the constant region Fc. Consequently, the activity measured cannot be, under the teachings of Vivier et al., correlated with an ADCC-

type activity, and the amount of cytokine measured cannot be correlated with an ADCC-type activity.

In amended claim 38, it is the Fc region of the antibody bound to its target (for example red blood cell) that interacts with the CD16 receptor. This interaction happens in a reaction mixture, not under conditions of antibodies being bound to a plate. Moreover, claim 38 now comprises an ADCC test, which would not be possible with the 3G8 antibody of Vivier being bound to a solid surface.

IDS

Applicants on March 1, 2006 filed an IDS disclosing 8 references. Return of the initialed Form SB08 with the next communication from the examiner is respectfully requested.

Conclusion

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By _____

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